



Finding of No Significant Impact

Redstone – East and West

Daniels and Sheridan Counties, Montana
STPP 22-1(5)15, Control Number 2024

November 13, 2006



FEDERAL HIGHWAY ADMINISTRATION FINDING OF NO SIGNIFICANT IMPACT

for

Project Number: STPP 22-1(5)15
Project Name: Redstone – East and West
Control Number: 2024

in


Daniels and Sheridan Counties

The Montana Department of Transportation (MDT) and the US Department of Transportation Federal Highway Administration (FHWA) have determined that the Preferred Alternative as described in the Environmental Assessment (EA) dated October 2006 will have no significant impact on the human environment. This Finding of No Significant Impact (FONSI) is based on the October 2006 EA. After independent evaluation of the EA, MDT and FHWA conclude that EA adequately and accurately discusses the needs, environmental issues and environmental impacts of the proposed project and appropriate mitigation measures. The EA provides sufficient evidence and analysis for determining that an Environmental Impact Statement (EIS) is not required. MDT and FHWA take full responsibility for the accuracy, scope, and content of the October 2006 EA.

For purposes of compliance with the Montana Environmental Policy Act (MEPA) (ARM 17.4.609(3) (j) and ARM 18.2.239(3)(j)), this FONSI and conclusion that an EIS is not required should be considered part the EA.




Montana Department of Transportation



Date



Federal Highway Administration



Date

Project Abstract and Location:

The project is located on Montana Highway 5, beginning at approximately Route Post (RP) 14.8, approximately 11.8 km (7.3 miles) west of the town of Redstone, extending 24.8 km (15.4 miles) easterly to approximately RP 30.2. The purpose of the project is to reconstruct the roadway to provide a highway that facilitates safe, comfortable and efficient movement of traffic and improves regional mobility.

Exhibits

A – NEPA/MEPA Coordination Process

B – Corrections to the EA

C – Comments and Responses

These exhibits are included to provide additional clarification to the October 2006 Environmental Assessment (EA) and to identify the Preferred Alternative in the EA as the Selected Alternative.

Exhibit A – NEPA/MEPA Coordination Process

The proposed project outlined in the October 2006 Environmental Assessment (EA) has been coordinated with appropriate federal, state, and local agencies in compliance with the requirements of the National Environmental Policy Act (NEPA), the Montana Environmental Policy Act (MEPA), and guidelines provided by the Council on Environmental Quality (CEQ) and the US Department of Transportation Federal Highway Administration (FHWA Technical Advisory T6640.8A).

Availability of EA for Review and Comment

The Montana Department of Transportation (MDT) and the Federal Highway Administration (FHWA) approved the EA for distribution on October 3, 2006. A Notice of Availability was released on October 4, 2006, to the following entities:

- KATQ AM and FM
- Sheridan County News
- Daniels County Leader
- KCGM-FM

A mailer was also sent to agencies and to individuals who had either attended previous public meetings or expressed an interest in the project. The mailer informed them of the availability of the EA.

Copies of the EA were available for public review at the following locations:

- Redstone Post Office
- Flaxville Post Office
- Daniels County Offices
- Sheridan County Office
- Montana Department of Transportation, Helena Headquarters
- Montana Department of Transportation, Glendive District Office
- http://www.mdt.mt.gov/pubinvolve/eis_ea.shtml

Copies of the EA were mailed out to individuals upon their request. The public review and comment period began on October 4, 2006, and ended on November 6, 2006.

Public Hearing

A formal Public Hearing was not requested by the public and was not held for this project.

Comments Received

No comments were submitted during the Cooperating Agency review period. During the public review, the public was invited and encouraged to provide comments through the mail, through the internet site, and/or through verbal communication with the Department. One written comment was submitted during the public comment period. That comment and the official response from MDT and FHWA are contained in Exhibit C.

Exhibit B – Corrections to the EA

The following text edits are part of the official Environmental Assessment (EA) prepared for this project. These text edits are intended to provide further clarification on the scope and intent of the proposed action.

Signature Page of the EA: The telephone extension for Gene Kaufman, Federal Highway Administration Glendive District Operations Engineer was incorrectly shown as Extension 244. Mr. Kaufman's phone number is actually 406.449.5302 ext 237.

Appendix D, Public Involvement Materials, Minutes from October 22, 2002, Public Meeting: Several comments are incorrectly attributed to Donna Phelps (sic). Dona Phelps notified the Department that while she did attend that meeting, she did not make those comments. Those comments, on pages 5, 6, and 8 of Appendix D, should be attributed to "(Unidentified Speaker)" rather than "(Donna Phelps)".

Exhibit C – Comment and Response

The single comment was received from an agency that was sent a copy of the EA during the agency review period. Since the agency response was received during the public review period, it is included here. Below is a copy of the comment and the FHWA/MDT response.



**Montana Fish
Wildlife & Parks**

RECEIVED

OCT 26 2006

ENVIRONMENTAL

October 24, 2006



1420 E. Sixth Avenue
P.O. Box 200701
Helena, Montana 59620-0701

Jean Riley
Montana Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena, Montana 59620-1001

Redstone East & West
STPP 22-1(5)14
CN 2024

Dear Jean:

The following are comments from Montana Fish, Wildlife & Parks on the Administrative Draft Environmental Assessment received on August 29, 2006. Our apology for the belated response.

Comment #1 - a

- a. If conditions are such that direct adverse impacts cannot be avoided, project features should be designed to minimize impacts. Unavoidable adverse impacts may need to be mitigated.

Comment #1 - b

- b. Several drainages cross the study corridor. It is stated that three of the existing bridges will be replaced and the remaining six will likely be replaced with culverts. It should be noted that replacement with culverts usually results in loss of productive, vegetated riparian areas, potential loss of stream length and loss of open channel. These impacts should be noted by identifying the potential culvert lengths, loss of open channel, and estimated loss of riparian habitat.

Comment #1 - c

- c. Potential mitigation for losses of productive, open stream adverse impacts should be identified.

Comment #1 - d

- d. The indirect and cumulative impacts associated with placement of drainages into culverts should also be identified.

Thank you for the opportunity to provide comments at this time. If they are unclear, please contact me at (406) 444-3175.

Sincerely,

Doug McDonald

Doug McDonald
Stream Protection Coordinator
Habitat Protection Bureau/Fisheries

Response #1 - a

Avoidance and minimization measures have been incorporated in as thorough a manner as possible at this early stage of the design process. Avoidance and minimization efforts will continue as the design process continues and the project moves into construction. Through the process of obtaining appropriate permits, authorizations, and notifications, MDT will work cooperatively with the federal and/or state agency with jurisdiction over the impacted resource. Unavoidable impacts will be mitigated in accordance with applicable regulations.

Response #1 - b

Based upon the available habitat in the project corridor and the immediate vicinity, MDT and FHWA conclude that the Preferred Alternative is not likely to have a considerable adverse impact to habitat. MDT will continue efforts to minimize adverse impacts of the project. Through the process of obtaining appropriate permits, authorizations, and notifications, MDT will work cooperatively with the federal and/or state agency with jurisdiction over the impacted resource. Unavoidable impacts will be mitigated in accordance with applicable regulations.

Response #1 - c

Impacts to streams have been identified in as detailed a manner as feasible at this early stage in the design process. Avoidance and minimization efforts will continue as the design process continues and the project moves into construction. Through the process of obtaining appropriate permits, authorizations, and notifications, MDT will work cooperatively with the federal and/or state agency with jurisdiction over the impacted resource. Unavoidable impacts will be mitigated in accordance with applicable regulations.

Response #1 - d

Potential impacts of placing drainages into culverts have been identified in as detailed a manner as feasible at this early stage in the design process. (Please see pages 21-24 of the EA.) Avoidance and minimization efforts will continue as the design process continues and the project moves into construction. Through the process of obtaining appropriate permits, authorizations, and notifications, MDT will work cooperatively with the federal and/or state agency with jurisdiction over the impacted resource. Unavoidable impacts will be mitigated in accordance with applicable regulations. Due to the limited nature of potential impacts, no substantial indirect or cumulative impacts are expected.